



## THE CITY OF SAN DIEGO **MANAGER'S REPORT**

DATE ISSUED: December 6, 2000 REPORT NO. 00-267

ATTENTION: Honorable Mayor and City Council  
Docket of December 12, 2000

SUBJECT: Second Quarterly Update to the Land Development Code (LDC)

REFERENCES: Planning Commission Report No. P-00-142, dated August 9, 2000  
Manager's Report No. 00-181, dated September 13, 2000 to the  
Committee on Land Use and Housing  
Planning Commission Report No. P-00-164, dated September 20, 2000

### SUMMARY

#### Issues -

1. Should the City Council approve the minor format and reference corrections to the LDC?
2. Should the City Council approve the consistency corrections to the LDC?
3. Should the City Council approve the amendments to the telecommunications facilities regulations?
4. Should the City Council approve the amendments to the LDC floodplain regulations and corresponding amendments to Council Policy 600-14?
5. Should the City Council approve the amendments to the subdivision procedures?
6. Should the City Council approve the amendments to the Transit Area Overlay Zone?
7. Should the City Council approve the amendments to the Carmel Valley Planned District Ordinance parking regulations?

#### Manager's Recommendations -

1. Recommend that the City Council approve the format and reference corrections to the LDC.
2. Recommend that the City Council approve the consistency corrections to the LDC.
3. Recommend that the City Council approve the amendments to the telecommunications facilities regulations.

4. Recommend that the City Council approve the amendments to the LDC floodplain regulations and corresponding amendments to Council Policy 600-14.
5. Recommend that the City Council approve the amendments to the subdivision procedures.
6. Recommend that the City Council approve the Transit Area Overlay Zone update.
7. Recommend that the City Council approve the amendments to the Carmel Valley Planned District Ordinance parking regulations.

Land Use and Housing Committee Recommendation - On September 20, 2000, the Land Use and Housing Committee voted 4-0 to recommend approval of the Second Quarterly Update to the LDC with one modification. The committee recommended deleting the proposed provision that would require an additional parking space for guest quarters.

Planning Commission Recommendation - On August 17, 2000, the Planning Commission voted 6-0 to recommend approval of the minor format and reference corrections, consistency corrections, subdivision procedures, the Transit Area Overlay Zone update, and the Carmel Valley Planned District Ordinance parking regulations and to continue the hearing on the proposed amendments to telecommunication facilities regulations and floodplain regulations until September 28, 2000. They also continued the issue relating to curation procedures in the Historical Resources Guidelines until language acceptable to the Historical Resources Board is developed.

At the September 28, 2000 hearing, the Planning Commission voted 5-0 to recommend approval of the floodplain regulations and the telecommunication facilities regulations with one addition. The Commission recommended that antennas and associated equipment proposed to be undergrounded and located in the public right-of-way in the near vicinity (100 feet) of residential uses should be required to obtain a Neighborhood Use Permit, decided in accordance with a Process Two.

Code Monitoring Team - On July 26, 2000, the Code Monitoring Team voted unanimously to recommend approval of the minor format and reference corrections, the consistency corrections, the telecommunication facilities regulations and the Carmel Valley Planned District Ordinance parking regulations. On August 9, 2000, the Code Monitoring Team voted unanimously to recommend approval of the floodplain regulations, subdivision procedures, and the Transit Area Overlay Zone amendments.

Environmental Impact - Action on the minor format and reference corrections, consistency corrections, amendments to telecommunication facilities regulations, floodplain regulations, subdivision procedures, the Transit Area Overlay Zone, and Carmel Valley Planned District Ordinance parking regulations are categorically exempt from CEQA pursuant to the State Guidelines Section 15061(b)(3).

Fiscal Impact - None.

## BACKGROUND

The Land Development Code (LDC) was adopted by the City Council on December 9, 1997 and received final certification by the California Coastal Commission on November 4, 1999. During the adoption hearings the City Council directed staff to develop a quarterly update process to monitor and remedy any problems or errors identified in the LDC after implementation. A Code Monitoring Team, with representatives from professional organizations, community groups, business owners and environmental concerns, was established. A list of the Code Monitoring Team representatives is provided in Attachment 1. The Code Monitoring Team reviews and makes recommendations on staff's proposed solutions. Since implementation of the LDC on January 3, 2000, approximately 200 issues have been identified by staff and the public and have been reviewed by the Code Monitoring Team.

The First Quarterly Update to the LDC, approved by the City Council on June 19, 2000, included minor corrections to typographical errors, simple clarifications, and reference corrections. This update resolved 50 of the 200 identified issues in addition to the incorporation of the telecommunication regulations from Council Policy 600-43 into the LDC.

The Second Quarterly Update addresses 36 issues that were identified during the first six months of implementation. Attachment 2 contains a matrix of the issues being considered in the second update. The matrix has been organized by significance of the issues. The first set of issues are the minor format and reference corrections. The second set of issues titled "consistency issues" includes various proposed changes that will clarify inconsistencies in the regulations and improve implementation of existing city policies. The third set of issues includes policy issues. It was anticipated that the Quarterly Update Process would also be the vehicle for bringing forward any policy issues and future amendments to the LDC, hence the inclusion of the five policy issues relating to telecommunication facilities, floodplain regulations, subdivision procedures, the Transit Area Overlay Zone update, and parking regulations in the Carmel Valley Planned District Ordinance. These five issues are discussed individually in the following pages under separate headings.

## DISCUSSION

On August 17, 2000, the Planning Commission voted 6-0 to recommend approval of the minor format and reference corrections, consistency corrections, subdivision procedures, the update to the Transit Area Overlay Zone, and the Carmel Valley Planned District Ordinance parking regulations. They continued the hearing on amendments to telecommunication facilities regulations and floodplain regulations to September 28, 2000 to allow staff time to re-evaluate the regulations based on public testimony. They also continued the issue relating to methods for curating archaeological artifacts until acceptable language is devised and the archaeological subcommittee of the Historical Resources Board can discuss and vote on the revised language.

At the hearing on September 28, 2000, the Planning Commission voted 5-0 in favor of recommending approval of the amendments to telecommunication facilities regulations and the floodplain regulations except for the issue relating to undergrounding telecommunication facilities located in the public right-of-way when adjacent to residentially zoned premises. The Planning Commission expressed concern with the noticing requirements for undergrounding telecommunication facilities located in the public right-of-way near residential uses. They were concerned about areas within the City that may have residential zoning on one side of the street and commercial zoning on the other or areas with mixed-use (commercial/residential) development. They recommended that antennas and associated equipment proposed to be undergrounded and located in the public right-of-way in the near vicinity (100 feet) of residential uses should be required to obtain a Neighborhood Use Permit, decided in accordance with a Process Two. This would allow the neighboring residents to be notified of the proposal.

Based on these concerns, the Planning Commission recommended modifying the language in LDC Section 141.0405(b)(3)(A) as indicated in Attachment 3 (Planning Commission's modified language is displayed in the double-underlined, shaded text). However, after careful review of the Commission's recommended modification and discussions with representatives of the telecommunications industry, staff concluded that the Commission's concerns are largely addressed in the language originally proposed and that the new modification would not substantially further the objectives of the regulations. Therefore, staff is recommending approval of the language as originally drafted.

On September 20, 2000, the Land Use and Housing Committee voted 4-0 to recommend approval of the minor format and reference corrections, amendments to telecommunication facilities regulations, floodplain regulations, subdivision procedures, the update to the Transit Area Overlay Zone, the Carmel Valley Planned District Ordinance parking regulations, and the consistency corrections with one modification. The committee recommended deleting the provision that would require an additional parking space for guest quarters. This issue is discussed under Consistency Corrections, subsection (e), on page 6 of this report.

## **Second Quarterly Update Issues**

### **1. Minor Format and Reference Corrections**

Minor format and reference corrections include corrections to typographical errors, simple clarifications, and reference corrections. For example, Section 121.0309(c) of the LDC refers to the "Director of Development Services". This title has been changed to "Planning and Development Review Director". The proposed correction would simply amend this minor reference error. Another example is that the LDC does not reference the Del Mar Mesa Specific Plan which has different development regulations for the community. The proposed corrections would simply add references to the applicable sections.

## 2. Consistency Corrections

Amendments to the following nine items are proposed to either correct inconsistencies in the regulations, clarify confusing aspects of the regulations, or correct provisions that have created unintended consequences during the first six months of implementation.

- a. Determining Existing Grade in the Coastal Overlay Zone - During the California Coastal Commission certification process, the determination of existing grade was modified. The Coastal Commission eliminated the date of March 4, 1972 for establishing existing grade within the Coastal Overlay Zone. After numerous discussions, City staff assured Coastal staff of the importance of having a specific date for determining existing grade. The proposed change would reverse the Coastal Commission's modification. It would require approval by the Coastal Commission.
- b. Description of Light Manufacturing Use Subcategory - During the Zoning Code Update process, descriptions of broad use categories and subcategories were developed to classify particular uses based on their operational characteristics. The description of light manufacturing in the LDC was derived from the Permitted Uses section of the M-LI Zone (Manufacturing - Light Industrial) in the previous zoning code, but with an additional provision. The added provision precludes the use of radioactive materials in light manufacturing. The use of limited radioactive materials in confined spaces is a common industry standard for certain companies involved in the manufacturing or research and development of biomedical, biochemical, pharmaceutical products or scientific, engineering, or medical instruments, or other advanced technologies. It was never intended that these companies be excluded from locating in light industrial zones. The proposed change would delete the reference to radioactive materials as a prohibited characteristic in the light manufacturing use category, thus allowing these companies to locate in light industrial zones as was permitted under the previous zoning code. The LDC does, in fact, regulate radioactivity as an external effect through the citywide Off-Site Development Impact Regulations in Chapter 14, Article 2, General Development Regulations.
- c. Accessory Structures in Residential Zones - As currently written, the regulations for accessory structures in residential zones are unclear. The number of accessory structures allowed on a lot and to what extent they can encroach into required yards needs to be more clearly specified. The proposed changes would clarify that there is no limit to the number of accessory structures, but the square footage of all combined accessory structures would be limited to 25 percent of the allowable gross floor area of the premises. The 25 percent limit is not a change, but the proposed language will clarify this provision. Additionally, the proposed language clarifies the circumstances under which a structure may encroach into required yards.
- d. Maximum Floor Area Ratio (FAR) in the IP, IL and IH Zones - During the Zoning Code Update process the maximum FAR in industrial zones was reduced from 2.0 to

1.0 because typical development proposals were not exceeding a FAR of 1.0. Today, industrial development proposals are showing a need to exceed a FAR of 1.0 due to higher land values and limited availability of industrial land. Changing the maximum FAR from 1.0 to 2.0 in the industrial zones would reinstate the former provision. (This change would not affect the existing FAR restrictions in the Kearny Mesa Community Plan area.)

- e. Parking Requirement for Guest Quarters - The previous zoning code permitted guest quarters in single-household zones (R-1 and A-1) with a Conditional Use Permit, and did not require additional parking to be provided. Parking for guest quarters was however, often recommended through a set of Zoning Administrator's guidelines entitled "Procedures and Criteria for Guest Quarters for Conditional Use Permits". The current regulations allow guest quarters in most residential zones with a Neighborhood Use Permit, and the regulations do not require an additional parking space. During the discretionary review process, transportation and permit review staff often recommend an additional parking space even though it is not required. Staff considers such factors as the existing development patterns and existing parking conditions in the community to determine if an extra parking space should be requested. If approved, the proposed amendment would add the one space parking requirement for Guest Quarters into the LDC.

At the September 20, 2000 hearing, the Land Use and Housing Committee voted 4-0 to provide an alternative for the City Council to reject the proposed provision of requiring an additional parking space for guest quarters. However, staff believes that the proposed change would clarify and codify the City's standard practices and alleviate community concerns relating to parking issues. Therefore, staff is recommending approval of the one space parking requirement for Guest Quarters as originally proposed.

- f. Satellite Antennas as Accessory Uses in the Industrial Zones - As currently written, the regulations require a Conditional Use Permit for satellite antennas exceeding 10 feet in diameter. Because many industrial businesses need to use large satellite antennas for communication purposes as part of their integral business functions, it would benefit these users if antennas would be allowed by right as an accessory use in industrial zones. The proposed change would clarify that satellite antennas are allowed by right in industrial zones if they are accessory to the primary use.
- g. Public Interest Messages on Signs - As currently written, the sign regulations do not clearly identify the size and location limitations for sponsors or supporters of public interest messages on signs. The proposed changes would clarify that sponsors and supporters of public interest messages, for public or private nonprofit or charitable organizations, are limited to fifteen percent of the total sign area.

- h. Residential Density as Part of Mixed-Use Projects - This proposed change would allow a project to deviate from residential density requirements if it is part of a mixed-use (commercial/residential) project and the applicable community plan establishes a higher density than the base zone. This type of deviation would be allowed through a Planned Development Permit decided in accordance with Process Four. This is necessary because some community plans call for a higher residential density in mixed-use projects than is currently allowed in the underlying base zone regulations.
- i. Slope Gradient - The current regulations allow cut slopes as steep as 1½:1 (1½ horizontal feet to 1 vertical foot) under certain conditions. The industry standard is generally no steeper than 2:1 (2 horizontal feet to 1 vertical foot) unless extraordinary conditions exist, e.g., if the underlying bedrock would support the steepness. The proposed change would delete the section allowing 1½:1 slopes because the regulations already allow for steeper slopes with the approval of the City Engineer where extraordinary conditions exist.

### **3. Policy Issues**

#### **Telecommunication Facilities**

Based on direction from the Land Use and Housing Committee and input from the telecommunications subcommittee, the proposed amendments to the telecommunication facilities regulations address issues related to telecommunication facilities located in residential areas, requiring radio frequency (RF) radiation disclosure information on telecommunication facilities applications, and telecommunication facilities proposed to be located in the public right-of-way. The proposed amendments would entail the following:

- Amend the regulations to require a Neighborhood Use Permit, decided in accordance with a Process Two, for minor telecommunication facilities proposed on properties zoned for residential, but containing nonresidential uses, such as churches or schools. Major telecommunication facilities located on residential properties, either vacant or developed with residential uses, would require a Conditional Use Permit decided in accordance with a Process Three.
- Amend the regulations to require all proposed telecommunication facilities to comply with the Federal standards for radio frequency (RF) radiation and provide the City with evidence that the facilities comply with the Federal standards.
- Amend the regulations to require that all telecommunication facilities, proposed to be located in the public right-of-way, underground the associated equipment. If the facility is adjacent to residentially-zoned property, a Neighborhood Use Permit, decided in accordance with a Process Two shall be required. A Conditional Use Permit, decided in accordance with a Process Three, and architectural enhancements

to reduce visual and pedestrian impacts would be required if the facility is proposed to be located above-ground.

### **Floodplain Regulations**

In anticipation of updating the City's references to the most recent Flood Insurance Study promulgated by the Federal Emergency Management Agency (FEMA), City engineering staff conducted a thorough review of all the existing policies and regulations for flood hazard areas. As currently written, these policies and regulations are scattered throughout various chapters in the Municipal Code, the Land Development Code and in City Council Policy 600-14-Development within Areas of Special Flood Hazard. The proposed amendments would entail the following:

- Updating the reference in the LDC to the most recent Flood Insurance Study prepared for San Diego County.
- Correcting inconsistent terminology in the LDC by defining or redefining terms (base flood, flood, floodplain fringe, and 100-year flood) and using these terms consistently throughout the LDC.
- Correcting references to Flood Hazard Boundary Maps that are no longer applicable.
- Amending Council Policy 600-14 by transferring the regulatory language from the policy into the LDC.

### **Subdivision Procedures for Final Maps**

The California Subdivision Map Act was amended on January 1, 1999 to allow final subdivision maps to be approved ministerially by the City Engineer. City staff is recommending parallel amendments to the Subdivision Procedures in the LDC. The amendments to the Subdivision Map Act would allow the City Council to authorize the City Engineer to approve and record final subdivision maps as a ministerial action. The City Council must be notified prior to the approval by the City Engineer and the decision can be appealed to the City Council. The approval of the map, agreements, and documents is ministerial and is only granted if all the conditions of approval contained in the previously approved tentative map and associated permits are satisfied.

Currently, the approval of final subdivision maps is a Process Five decision by the City Council and is most often approved on the consent agenda. The City Council must approve the map if all conditions of the approved tentative map and associated permits have been met. City Council depends on staff to make the preliminary findings and report the findings to Council prior to final approval.



The state legislature realized that City Councils would lose no prerogatives if staff were allowed to finalize the maps without a City Council hearing, thus saving much time and expense to the applicant. The City Council and the public would be notified of a pending map approval by the publication of an announcement as an information item in the Council Docket. The map would not be finalized until 10 days after the City Council hearing, allowing the public or Council members time to make inquiries or request an appeal. The Subdivision Map Act amendment requires City Councils to annually review the delegation of approval authority.

The proposed amendment would allow City staff to better manage map approvals by eliminating the time and expense of the 1472 (Request for Council Action) process needed to take a final map to Council. This item is supported by the building industry.

### **Transit Area Overlay Zone Update**

The Planning Commission and the Land Use and Housing Committee previously recommended approval of the update to the Transit Area Overlay Zone Maps as part of the 1999 regulatory relief package. Due to delays with other items included in the regulatory relief package, this item has been added to the Second Quarterly Update to the LDC for approval by the City Council and the California Coastal Commission.

The purpose of the Transit Area Overlay Zone is to provide supplemental parking regulations for areas receiving a high level of transit service. The Transit Area Overlay Zone maps were last updated in 1992. Since then, significant expansion of bus and trolley service has been implemented or funded. The proposed amendment will add these new areas to the overlay zone.

### **Carmel Valley Planned District Ordinance**

In April of 1997, the Carmel Valley Community Planning Group requested that City staff review the adequacy of the commercial parking ratios for the Employment Center (EC) Zone within their community. The planning group was concerned with the overflow of parking into residential neighborhoods from nearby employment centers. However, during the Zoning Code Update process, direction was given by the City Council to defer substantive changes to any of the Planned District Ordinances (PDO) until after the adoption of the new LDC. In February, 2000, City staff was directed by the Land Use and Housing Committee to implement a PDO Update Work Program to update all 18 of the PDOs and address the parking issue in the Carmel Valley PDO. City staff worked with representatives of the planning group to come up with a solution to the community parking issues. The consensus is to increase the parking ratio from 3.3 per 1,000 square feet of gross floor area (as required in the LDC) to 4.0 per 1,000 square feet of gross floor area for the Business and Professional Office/ Government/Regional and Corporate Headquarters category in the Employment Center Zone within the Carmel Valley PDO.

## CONCLUSION

The Second Quarterly Update includes 36 issues that were identified by staff and the public during the first six months of implementation. The proposed amendments are intended to further the adopted goals of the Land Development Code by clarifying the regulations to make them easy to understand, maintaining consistency by eliminating contradictions, and ensuring the code's integrity by adhering to a consistent code framework. Therefore, the City Manager recommends approval of the proposed minor format and reference corrections, consistency corrections, amendments to telecommunication facilities regulations, floodplain regulations, subdivision procedures, the Transit Area Overlay Zone, and parking regulations of the Carmel Valley PDO as part of the Second Quarterly Update to the LDC.

## ALTERNATIVES

1. Modify the recommendations proposed for the minor format and reference corrections, regulatory amendments, amendments to telecommunication facilities regulations, floodplain regulations, subdivision procedures, the Transit Area Overlay Zone, and parking regulations of the Carmel Valley PDO.
2. Deny the format and reference corrections, consistency corrections, amendments to telecommunication facilities regulations, floodplain regulations, subdivision procedures, the Transit Area Overlay Zone, and parking regulations of the Carmel Valley PDO.

Respectfully submitted,

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Tina P. Christiansen, A.I.A.  
Planning and Development Review Director

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Approved: George I. Loveland  
Assistant City Manager

HAASE/BAM

Attachments: 1. Code Monitoring Team Representatives  
2. Second Quarterly Update Issues Matrix  
3. Planning Commission's Recommended Language

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**Code Monitoring Team Representatives**

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<b><u>Organization</u></b>	<b><u>Representative</u></b>
American Institute of Architects	John Ziebarth
American Planning Association	Steve Silverman
American Society of Civil Engineers	John Leppert
American Society of Landscape Architects	Larry Sheehan
Association of Environmental Planners	Don Haines
Building Industry Association	Kirk O'Brien
Business Owner - At Large	Gail MacLeod
Community Planning Group - CPC Representative	Guy Preuss
Community Member - At Large	Claude-Anthony Marengo
League of Women Voters	Shirley Larson
San Diego Association of Realtors	Tracy Morgan Hollingworth
San Diego Bar Association	Rebecca Michael
Sierra Club	Joanne Pearson
Chamber of Commerce	Vacant

### Land Development Code 2<sup>nd</sup> Quarterly Update Issues Matrix

The following matrix includes all the issues to be considered in the Second Quarterly Update. The issues are divided into three sets. The first set of issues include minor format and reference corrections. The second set of issues titled “consistency issues” include various proposed changes that will clarify inconsistencies in the regulations and improve implementation of existing city policies. The third set of issues include various policy or procedural issues identified by staff to be incorporated into this update.

Issue No.	LDC Section	Description
<i>Minor Format and Reference Corrections</i>		
1.	113.0103	Definition of Sign. Change “public place” to “public right-of-way” to be consistent throughout the LDC.
2.	113.0234(b)	Edit Diagram 113.02O and corresponding text to clarify when porches and balconies are included in gross floor area.
3.	113.0273(c)	Edit Diagram 113.0273, Measuring Visibility Area to show clarifying symbols, i.e., property line, centerline of the street, setback lines.
4.	121.0309(c)	Edit reference from “Director of Development Services” to “Planning and Development Review Director”.
5.	126.0704(a)(2)	Coastal Development Permit Exemptions. Reference to Map C-730.1 is incorrect. It should be Map C-731 filed in the office of the City Clerk (not County Recorder).
6.	126.0708	CDP Findings. Reorganize findings to clarify the findings that apply to all projects and those that apply to projects with ESL within the COZ. This would make organization of CDP findings consistent with all other development permits.
7.	127.0106(d)	Italicize the terms “structures” and “previously conforming” because these are both defined terms.
8.	127.0107	Italicize the term “previously conforming” because it is defined.
9.	131.0125(b)(2)	Accessory Use Regulations for All Base Zones. Clarify that the accessory use must comply with the use and development regulations of zones where permitted.
10.	131.033	The LDC contains no reference to the Del Mar Mesa Specific Plan which established different development regulations for the community. Add subsection (d) to reference the DMMSP. Also edit sections 131.0340(a)(4) to include the rural cluster exemption of the DMMSP and edit Planned Development Permit regulations by adding a reference to the DMMSP.
11.	131.0622	Add a “P” to the “Agriculture related supplies and equipment” use in the IH-1-1 zone. It was inadvertently left blank.

Issue No.	LDC Section	Description
12.	132.0402	Table 132-04A shows that there are “NONE” supplemental development regulations that apply to coastal development that is exempted by Section 126.0704. Edit section of cite ESL as well as use and development regulations of the base zone.
13.	132.0403	The title of Section 132.0403 reads “Supplemental Use Regulations of the Coastal Overlay Zone.” The term “Use” was erroneously used, it should just read “Supplemental Regulations of the Coastal Overlay Zone”.
14.	132.1402	The College CPIOZ was rescinded when the College Community Master Plan was adopted in 1993. Delete this reference in Table 132-14A and Diagram 132-14B.
15.	142.0134	Delete the reference to reinforced earth or structurally enhanced fill slopes to be considered retaining walls.
16.	142.0310(c)(3)	Clarify Diagram 142-03C to show the amount of open and closed portions of the fence as it is placed farther from the front property line.
17.	142.0310(e)	Fence Height Outside of Required Yards. Correct inconsistency between (e)(1) and (e)(2) for fence height in commercial and industrial zones (12 feet) by deleting the exemption in (e)(2)(C).
18.	142.0340(c)(3)	Add a reference to the already existing Diagram 142-03B to clarify the horizontal and vertical offset requirement.
19.	142.0510(f)	Add a previous code amendment dealing with allowing required parking to encroach into front or street side yards if the garage was converted to habitable space prior to Jan 1, 1992. This section was inadvertently left out during the re-drafting of the LDC.
20.	142.0530(a) and (b)	Tables 142-05D and 142-05E have transposed the CR-2-1 zones as the CR-1-2 zones. CR-1-2 zones do not exist.
21.	142.0530(a) and (b)	Table 142.05D does not utilize footnote 4 referencing the Coastal Overlay Zone and Table 142.05E does not utilize footnote 5 referencing the Beach impact area.
22.	142.0560(c)	Correct the spelling of “frstaurant” in Diagram 142-05B.
<i>Consistency Corrections</i>		
23.	113.0228	Determining Existing Grade. Include the March 4, 1972 date for determining existing to the Coastal Overlay Zone.
24.	131.0112(a)(10)(B)	Amend the description of Light Manufacturing to be consistent with the former zoning code, by not excluding the term “radioactive materials”.

Issue No.	LDC Section	Description
25.	131.0448	Accessory Uses and Structures in Residential Zones. Amend section to clarify when and how much accessory structures can encroach into required yards.
26.	131.0631	Increase the maximum allowable Floor Area Ratio in the IP, IL, and IH zones from 1.0 to 2.0. Industrial zone FAR's were decreased during the Zoning Code Update without much analysis and the need for higher industrial FAR's has occurred.
27.	141.0306(I)	Parking requirement for guest quarters. The LDC does not require additional parking spaces for guest quarters, add a 1 space requirement.
28.	141.0405(e)(4)	Amend separately regulated use regulations for satellite antenna to allow them in Industrial zones if they are accessory to the primary use.
29.	142.1210(a)(1) (D)	Public interest messages. Clarify that public interest messages on signs are sponsored by non-profit or charitable organizations. The current language is unclear as to who can sponsor public interest messages.
30.	143.0410(a)(3) (C)	Edit Section to state that a PDP can be used to deviate from residential density when the Land Use Plan calls for it.
31.	142.0133	Slope Gradient. Delete subsection (d) allowing 1½:1 cut slopes.
<i>Policy Issues</i>		
32.	131.0422 & 141.0405	Telecommunication Facilities. Add section for General Rules For Telecommunication Facilities and requirement for NUP for facilities on residentially zoned property with non-residential uses.
33.	125.0530, 125.0540, 125.0630 and 125.0640	Subdivision Procedures for Parcel and Final Maps. Amend sections to allow the City Engineer to ministerially approve final maps to be consistent with the recent amendments to the state Subdivision Map Act.
34.	113.0103 and 143.0145	Floodplain Regulations. Amend definitions and regulations for floodplains to incorporate regulations for Council Policy 600-14 and reference changes to the FEMA study.
35.	103.0612	Amend the Carmel Valley PDO to change the parking ratio from 3.0 to 4.0 per 1,000 square feet of gross floor area for business and professional offices/government/regional and corporate headquarters in the employment center zone.
36.	132.1002	Update the Transit Area Overlay Zone maps to include additional areas where transit service has been expanded.

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**Planning Commission Recommended Language**

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The Planning Commission's recommended language is shown in light grey shading and double underline.

**§ 141.0405 Communication Antennas**

- (a) No change
- (b) General Rules For Telecommunication Facilities

All telecommunication facilities must comply with the following requirements:

- (1) All approved telecommunication facilities must comply with the Federal standards for RF radiation in accordance with the Telecommunication Act of 1996 or any subsequent amendment to the Act pertaining to RF radiation. Documentation shall be submitted to the City providing evidence that the cumulative field measurements of radiofrequency power densities for all antennas installed on the premises are below the Federal standards.
- (2) Except in the event of an emergency, routine maintenance and inspection of telecommunication facilities located on residentially zoned premises, including all of the system components, shall occur during normal business hours between 8:00 a.m. and 5:00 p.m. Monday through Friday.
- (3) Any equipment proposed in conjunction with antenna installations in the public right-of-way, except for small service connection boxes, must be undergrounded in accordance with the following requirements:
  - (A) Antennas and associated equipment located in the public right-of-way adjacent to **or within 100 feet of a residential use or** residentially zoned premises may be permitted with a Neighborhood Use Permit.
  - (B) Antennas and associated equipment located in the public right-of-way adjacent to non-residentially zoned premises are subject to review and approval by the City Manager.
  - (C) A construction plan must be submitted and is subject to review and approval by the City Engineer.
  - (D) Exception: Antennas and associated equipment located in the public right-of-way adjacent to any zone may be placed above ground only if the equipment is integrated into the architecture or surrounding environment through architectural enhancement (enhancements that complement the scale, texture, color, and style), unique design solutions, enhanced landscape architecture, or complementary siting solutions to have no visual or pedestrian impacts. These facilities may be permitted with a Conditional Use Permit decided in accordance with Process Three.